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## HIGH COURT OF CHHATTISGARH AT BILASPUR

**Single Bench : Hon'ble Shri H.L. Dattu, C.J.**

**Contempt Petition No.90 of 2007**

**Complainant** — Sanat Sharma, S/o late Shri Shiv Kumar Sharma Aged about 42 years, The then Vice-president-Now President-Chhattisgarh Dainik Vetan Bhogi Karmachari Sangh, (Regd No.56 year 2000) Regd Office – Forest Colony, Near Mahasamund Taxi Stand, Raja Talab, Raipur (CG)

**Vs.**

**Contemnors**

1) **Mr Sirgius Minj, Principal Secretary, Forest Department, Govt of CG Mantralaya DKS Bhawan, Raipur (CG)**

2) **Shri RN Mishra,** Principal Chief, Conservator of Forest, Forest Department, Govt of Chhattisgrh, jail Road, Aranya Bhawan, Raipur

3) **Shri MT Nandi,** Conservator of Forest, Forest Division, Circle – Durg (CG)

**Contempt Petition under Article 215 of Constitution of India.**

**Present:** Shri VG Tamaskar, counsel for the petitioner.

**ORAL ORDER**
**(Passed on 12th April, 2007)**

The complainant was one of the petitioners in Writ Petition No.1781 of 2003 and connected matters. In the said writ petition, the main prayer that was sought for by the petitioner and others was to consider their cases for regularization. This Court placing reliance on the Circular/Instruction issued by the State Government from time to time, had directed the State Government and other respondents to consider the cases of the petitioner and others for regularization of their services in accordance with law and in terms of Circular dated 09.01.1999. This order was made by this Court on 19.04.2006.

(2) One Shri Arun Vastarkar, being aggrieved by the orders passed by this Court in the aforesaid writ petition, had filed S.L.P. before the

Apex Court in Civil Case No. CC 6015/2006. The Supreme Court by its order dated 18.8.2006 had issued notice to the respondent and had granted interim order staying the order passed by this Court in Writ Petition No.1781/2003 and connected matters.

(3) On the request made by the petitioner in S.L.P., the Supreme Court had permitted him to withdraw the S.L.P. The order was passed by the Supreme Court is dated 22.02.2007.

(4) Now the petitioner is before this Court, inter alia alleging that the respondents have not complied with the orders and directions issued by this Court in Writ Petition No.1781 of 2003 and connected matters and thereby they have deliberately disobeyed the orders and directions issued by this Court.

(5) Shri Tamaskar, learned counsel for the petitioner, vehemently contends before this Court that the respondents are deliberately disobeying the orders and directions issued by this Court in Writ Petition No.1781 of 2003 and, therefore, requests this Court to initiate the contempt proceedings against the respondents. In support of his contention, he also brought to the notice of this Court the decision of the Apex Court in the case of **Prithawi Nath Ram Vs. State of Jharkhand and Others** reported in (2004) 7 SCC 261.

(6) Immediately after the disposal of the writ petition and connected matters, one Shri Arun Vastrakar had filed S.L.P. before the Supreme Court. The Supreme Court had granted interim order of stay on 18.08.2006. In view of that interim order, the non-applicants could not implement the orders and directions issued by this Court.

(7) The interim order was operating against the respondent till 22.02.2007 when the petition was disposed of by the Supreme Court at the instance of the petitioner as withdrawn.

(4)

(8) Now it is for the respondents to comply with the orders and directions issued by this Court. Time lag between 22.02.2007 and date of filing of the petition is so short that this Court cannot expect the respondents to immediately react to the orders and directions issued by this Court . Some time is required to be granted to the respondents to implement the orders and directions issued by this Court.

(9) The decision on which reliance is placed by the learned counsel would not assist him in any manner whatsoever.

(10) In view of above, I do not intend to take cognizance of the contempt petition. Accordingly, it is rejected. Ordered accordingly.

**Sd/-**
**Chief Justice**